THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.23621 OF 2005

Dt.11.11.2005

Between:

G.Prashantha Reddy

… Petitioner

And

The Sub Inspector of Police, Mulugu P.S.,

Warangal District. … Respondent

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home.

The petitioner submits that he is running a book shop under the name and style of J.M.J.Book House situate at H.No.4-7-93, Kumar Pally, Hanamkonda, Warangal, but the Sub Inspector of Police, Mulugu Police Station without any justification whatsoever seized the shop by locking the same.

At the admission stage, a counter affidavit has been filed by the respondent stating that the in charge Mandal Education Officer, Mulugu and Head Master of Zilla Parishad School, Mallampally, have lodged a complaint on 26.8.2005 alleging that the proprietors of Maheswara Book Shop and Suchitra Book Shop at Mulugu viz., Dugireddy Sambi Reddy and Kandula Bhaskar Reddy were illegally selling the Government supplied free books in their respective shops and on the instructions of the Revenue Divisional Officer, Mulugu, the respondent herein visited the said book shops and seized the Government supplied free text books from 1st class to 10th class and registered a case in Crime No.125 of 2005 under Section 420 IPC and the investigation is under progress. It is stated that the petitioner is also shown as accused No.3 in the said crime. Further, the allegation that the said shop was locked and seized is denied.

In view of the specific averment made in the counter affidavit that locks were not at all put to the said shop of the petitioner, the question of declaring the action of the respondent in interfering with the business of the petitioner does not arise.

The writ petition is accordingly dismissed. No costs.

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(V.ESWARAIAH, J.)

11.11.2005

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